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ABSTRACT

Associations of special libraries in Hungary are being developed to provide universal availability of published works on a national and international level. While most library legislation recognizes considerations, concerns of document security, copyright, reprography and computerized services are also matters of legislative importance, particularly for special libraries. Hungarian law treats all libraries as a unified system with individual libraries in four administrative networks--public, school, academic, or special. A central library in each network provides professional operational supervision, procedural methodology, and professional training. Libraries within these networks are encouraged to form associations based on professional disciplinary interest, e.g., chemistry, geology, telecommunications. Each professional association of libraries involves one central library and other cooperating libraries. Among the tasks of the associations are maintenance of statistical information, compilation of library holdings, evaluation against international holdings, interlibrary cooperation, and provisions for reproduction and dissemination of library materials. On the international level, these associations are encouraged to develop bilateral affiliations for exchange of publications and interlibrary loan. (RAA)

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Library legislation and management with special regard to science and technology libraries

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Library legislation and management with special regard to libraries in science and technology

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I.

One of the main objectives of library work is to provide universal availability of publications. The speedy development of technology fairly contributes to the realization of this aim, but other supportive means and measurements, for instance library legislation, inter alia, are also necessary.

In the followings we intend to focus attention on some problems and questions that can be solved by means of library legislation.

II.

As regards the universal availability of publications the deposit law implemented in some countries is of primary importance. Legal regulation is not only to ensure storage, documentation and utilization of intellectual productions, but even to promote international cooperation first of all international interlibrary loan, too. It is both international and national interest that legal regulation in this matter should be provided as soon and as progressively as possible - in all countries, taking into account the prevailing local conditions and with the assistance of the international professional organizations /IFLA, Unesco, etc./ - if necessary.

In the strict sense of the word universal availability of publications concerns only published documents. We are, however, convinced, that in case of science and technology libraries the concept of publication must be extended to cover also non-published documents, i.e. research reports, dissertations, theses, conference proceedings, etc. These documents in many cases are not held in the libraries in the relevant field of science and technology. Therefore it seems justified to issue a regulation to oblige science and technology libraries to acquire or at least to keep bibliographic records of these documents, in order to provide information on their availability to the users.

This matter raises - of course - questions of legal concern, one of them being the problem of security. The diverse types of security rules renders difficulties in the universal availability. Documents classified according to the diverse rules /confidential, secret, top secret, for your eyes only, etc./ are of restricted availability, even if the content is not in accordance with the qualification, i.e. it is not really secret or confidential.

For the above reason it seems expedient if qualification of documents would be restricted to the most justified cases. It is also recommended to define bodies, institutions, etc. responsible for qualification as well as the types of documents falling under qualification. It would also be necessary to issue regulations initiating reassignment of documents already qualified. As we know, in the USA remarkable efforts were made towards it: legal regulation provides revision /supervision/ of qualification of documents every ten years, and 30 years after the documents are automatically reassigned, unless the qualifying bodies uphold the necessity of being qualified, further on.

III.

From the point of view of universal availability of publications keeping regulations of copyright law up to date as well as their implementation so as to meet the requirements of the given development level are of outstanding importance.

We can state, that in our days the copyright law in most countries is based on dissemination of printed information, i.e. bears characteristic features of the so-called Gutenberg-copyright. The modern information technologies of the last decades e.g. photocopying /including xerography/, microcopying, on-line information storage and retrieval, and in several countries the cable television, community antenna television /CATV/ have revolutionized the dissemination of information.

Book publishers are of the opinion that the immense quantity of copies produced applying these new techniques undermines the financial basis of book printing and by this does a great disservice to the creation of new information and to the development of science, as well. According to estimated data merely in the USA millions of photocopies are annually produced. It is, however, debated that these copies are made on publications protected by copyright law. It is also vexed question whether or not the distribution of copies made on these publications or even on their parts interferes with the social interest tied up with the modern enforcement of the copyright law.

We presume that copying documents is even in the society's interest, because many of the publications protected by copyright law - as far as documents in science and technology are concerned - are prepared for scientific research and training purposes, i.e. not for distribution through commercial

channels, So photocopying of documents held by special libraries in science and technology serves both social and individual interests. It is of essential importance to take it into account when discussing this problem with due regard to the copyright law.

On-line information handling and retrieval also presents legal problems. A part of these problems is connected with security, an other concerns copyright as well. It is prognosticated that at or about 2000 computer misuse will be significantly increased, so one must prepare for providing against it. As it is a quite new task of legislation, special literature may also contribute to analyze the facts, problems, data, etc. the relevant new regulations will be based on.

As far as the interrelation of copyright and computer technology is concerned, it seems a very difficult problem in both respect. According to the relevant literature, three phases of on-line information retrieval are of importance from the copyright view, i.e. input, retrieval and output.

In principle potential infringement of copyright law can occur in connection with all of these phases. Of course, the output phase is of the most importance just because of the "re-edition" /re-publication/ of the copyright-protected information stored in the computer.

The mere fact that the new information appears on a special carrier /i.e. computer screen, printout, etc./ does not exempt from the force of the copyright law. /See: Henry, Nichola: Copyright, information technology, public policy. 1. vol. New York - Basel, Dekker 1975./

IV.

The principle of the universal availability of publications is based on the knowledge that no library in the world is able to collect on its own all information required by its users. Therefore resolute co-operation of the world's libraries is necessary to cover the effective and potential needs of their users. Co-operation of libraries on national scale is the prerequisite of the international co-operation, but it is also true that established international co-operation may stimulate national co-operation, too.

The most up-to-date way of library co-operation on the national scale is establishing computer-aided information network. Illustrative examples of this are the systems having been established in the USA /OCLC/. Legislation is aimed also at contribution to the realization of the various co-operative efforts of countries. Let us quote some related examples of our home country, although we are convinced that these efforts may characteristic of other countries, as well.

The valid Hungarian library law treats the libraries of the country as a unified system. Individual libraries get connected with the system through the so-called library network. The library networks are organized according to the sponsoring and supervising authorities of the specific fields, e.g. public libraries, school libraries, university libraries, special libraries, etc. form distinct networks. Organization, coordination, professional control /supervision/ of the work of as well as providing methodology to libraries belonging to a network is the responsibility of the network's central library.

Central libraries are also responsible for providing basic and extension professional training to library and information workers. Their activities involve also data supply-

ing, statistics, appraisal of needs, contribution to library legislation, implementation control of legal rules, etc.

In addition to the networks based on administrative principles, an other form of interlibrary co-operation is organized according to the specific professional fields the libraries interested are active in. Libraries may participate in the professional co-operation irrespective of the administration-based network they are affiliated to. The legal rule for organization and functions of the national library system /5/1978. XII.12. KM/ and its annex, respectively, specifies the 120 libraries most significant, responsible for establishing and co-ordinating the professional co-operation of libraries. Since services of these libraries are available for everybody in the country they are called libraries of national authority.

Regarding the specially important role the professional interlibrary co-operation plays both in the international co-operation and in the international availability of publications we wish to give a somewhat detailed expression of this question.

We have already mentioned that the professional co-operation of libraries is organized according to the specific professional /scientific/ fields. Distinct professional co-operative connections /groups/ are being established in the field of mathematics, physics, chemistry, geology, geopgraphy, biology, medical sciences, agricultural sciences as well as in the individual branches of technology /mechanical engineering, telecommunication, precision engineering, etc./, social sciences, etc. Each professional group is composed of one /eventually more/ central library and some co-operating libraries.

The directives for functioning and the main tasks of the professional co-operation of libraries are included in the legal rule referred to above. It is, however, the responsibility of the co-operating libraries to develop the internal organization and methodology, takint account of the prevailing conditions and established practice. A part of these regulations are the enacting clauses of the act, others - even not as legal rules in the strict sense of the word - prove also essential prerequisite of the implementation and realization of the act. Wherever to set the limits of the scope of library legislation: these other regulations must be in harmony with the regulations included in the act. If these non-legal regulations required to the successful implementation of the act are in contradiction with the legal rules contained in it, revision of the legal rules may be necessary. General experience proved that modification, improvement of legal rules is associated with the development. The Hungarian library law issued in 1956 was revised in 1976. We consider the present library law as to cover also 15-20 years, so one must prepare for its revision in due time.

A main task of the professional co-operation /co-operation group/ of special libraries to keep statistical data of the information supply in the scientific and/or technical field covered by them, e.g. to provide information on the holdings of the libraries, etc. After having compiled a list of periodicals held by the co-operating libraries, it is recommended to compare this to an international list of the most significant periodicals. When deciding on to subscribe to a foreign periodical, it is recommended to consult specialists /researchers, scientists, engineers, university lecturers, etc./. Getting knowledge of the needs, the relative

level of the specialized literature supply of the related fields can be determined by mathematic methods. The next step is to calculate the expected costs of acquiring the literature needed. Knowing of these data, one must try to obtain the needed periodicals within the co-operation group, and to subscribe to an other periodical instead, which is not held by the co-operating libraries.

The professional interlibrary co-operation is of mutual advantage not only in obtaining the literature but even in making it available to the users. A basically important aim is to provide reading-room service and photocopying of articles.

Preservation of periodicals is also an important task. The co-operating libraries are liable to preserve the most significant periodicals of their special field, and, if such a need arises, to make them available to other libraries outside the co-operating group. In the spirit of the national specialized information supply, everybody can make use of the documents, either in the original or photocopied form.

V.

As far as the international interlibrary co-operation is concerned, the specialized co-operation groups are expected to play an increasingly important role, first of all as regards the international exchange of publications and the international interlibrary loan. Obviously, both require bilateral connections. These activities must be assisted also by legal regulations, in order to realize universal availability of publications more effectively.

The international intergovernmental conference on the realization of the universal availability of publications,

planned for 1981-1982 provokes considerable expectations in the whole library community. As for Hungary, we have collected and updated all legal rules and enacting clauses of library concern. A new publication on them is now under preparation.

Standards are absolutely indispensable tools of legal regulation in both national and international interlibrary co-operation. As for standardization of this field, the practice followed in each country must be in harmony with the related international efforts. Standardization work in the field of libraries and information is advanced in Hungary, the requirements of the international co-operation are fairly taken into account in realizing our tasks.

Finally we have to refer to other forms of legislation, i.e. to those which are not provided by constitutional law, but based on customary law. Recognizing the proved international practice can offer some good ideas to the library legislation.

We believe, that the living organism of libraries cannot be paralyzed by "over-regulation", the rules which suit the established consistent practice have to conform to the official legislation.

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